

Frederick County Ethics Commission
Minutes for the Public Meeting of Tuesday, January 17, 2012

Present: Karl W. Bickel, Chair
Paula C. Bell, Commission Member
Hayden B. Duke, Commission Member
E. Donald Foster, Alternate Commission Member
Linda B. Thall, Senior Assistant County Attorney

The Frederick County Ethics Commission met at approximately 8:00 p.m. on January 17, 2011, at the Office of the County Attorney on the 2nd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701, following an administrative function meeting.

Approval of the September 29, 2011 meeting minutes – A draft of the minutes was emailed to the Commission members prior to the meeting. There were no requests for changes.

MOTION: Mr. Bickel made a motion to approve the minutes. Mr. Foster seconded the motion, which was approved unanimously.

Ethics Ordinance certification – The Commission was advised that the State Ethics Commission approved the County's new Ethics Ordinance for compliance with the State Ethics Law. That Law requires that the Ethics Commission issue an annual certification that the County's conflict of interest provisions for local elected officials are at least equivalent to the requirements for State elected officials in the State Ethics Law and that the financial disclosure requirements for local elected officials are at least equivalent to the State's financial disclosure requirements for State elected officials. Mr. Bickel signed the certification form on behalf of the Ethics Commission.

Approval of new financial disclosure forms – The financial disclosure forms for appointed officials and employees, as well as the forms for County Commissioners and candidates for County Commissioner, were revised to be consistent with the new Ethics Ordinance. Draft forms were distributed to the Commission members prior to the meeting.

MOTION: Mr. Bickel made a motion to approve the new financial disclosure forms. Mr. Duke seconded the motion, which was approved unanimously.

Approval of Advisory Opinion 12-01 – The Commission considered changes to its annual Advisory Opinion summarizing the provisions of the Ethics Ordinance. A draft of the new Advisory Opinion was sent to Commission members before the meeting. No changes to the draft were proposed. The members signed Advisory Opinion 12-01.

Lobbying requirements – The Senior Assistant County Attorney advised the Commission members that the forms for lobbyist registration and reporting had been revised to reflect changes required by the new Ethics Ordinance. A notice of the key changes in the Ordinance related to lobbying was mailed to all registered lobbyists. The members discussed the requirement in Section 1-7.1-8(N) of the Ethics Ordinance that the Ethics Commission issue an annual report of lobbyist spending. The members agreed that the Commission should not wait a full year before issuing its first report. The Senior Assistant County Attorney was asked to report back to the Commission and provide a draft spending report for the Commission's consideration after the Lobbying Activity Reports due by January 31 (for the second half of calendar year 2011) are received.

Changes to the Commission's Standard Operating Procedures – The Senior Assistant County Attorney distributed suggested revisions to the Commission's Standard Operating Procedures to reflect the changes made in the new Ethics Ordinance. The Commission discussed whether additional changes should be made to the Procedures and agreed to take this matter under consideration until the next meeting.

Adoption of regulations – Section 1-7.1-5(D) of the Ethics Ordinance permits the Ethics Commission to adopt regulations concerning the Ordinance's restrictions on employment and financial interests. The Commission determined that adoption of regulations is not necessary at this time.

Public Ethics Law interim report – The members were advised that the report on the Public Ethics Law, which was due in 2011, had not yet been received. The Senior Assistant County Attorney relayed the fact that the Ethics Compliance Administrator in the County Manager's Office hoped to have the report completed within the week.

Public information efforts – Mr. Duke suggested that the Ethics Commission make an outreach effort to inform the public and officials and employees about the Ethics Ordinance and the role of the Ethics Commission. After different options were discussed, Mr. Bickel agreed to contact local newspapers to find out whether they would be interested in meeting with him for a general discussion of the work of the Ethics Commission and the requirements of the new Ethics Ordinance.

Adjournment

MOTION: Mr. Duke moved to adjourn the meeting. Mr. Bickel seconded the motion, which was approved unanimously.

The Ethics Commission adjourned its meeting at 9:05 p.m.

/s/
Linda B. Thall, Senior Assistant County Attorney